and laid out according to the ancient metes and bounds thereof, as in the original certificate of survey thereof is expressed, to the end that the said lands in controversy and the claims and pretences of both parties may more plainly and indifferently appear to the Court and Jury. Therefore you the said Surveyor, in the presence of you the said Sheriff, are hereby commanded carefully to resurvey and lay out, as well the said lands in dispute as any other land adjacent thereof which shall be thought necessary by the said Plaintiff or Defendant to be laid out for the better illustration of the matter according to the claims and pretensions of the plaintiff in the presence of the defendant, if he being summoned think fit to be present and without any interruption of him the said defendant, or if absent, notice to be left at his place of residence or last place of abode, and likewise survey and lay out the same lands in dispute as aforesaid, according to the claims and pretensions of the defendant in the presence of the plaintiff if he being summoned think fit to be present without any interruption of him the said plaintiff, or if absent, notice to be left at his place of residence or last place of abode, and you the said Sheriff are hereby empowered to examine upon oath, any witness or witnesses, that by either of the said parties shall be produced in relation to the same and you the said Sheriff are hereby ordered to give both the said parties ten days notice before the day of the execution of this writ, and you the said Surveyor are hereby commanded to return five fair certificates and plots therefor drawing the pretences of the plaintiff in black lines and the pretences of the defendant in pricked lines, as well under the hand and seal of you the said Sheriff as you the said Surveyor to the said County Court to be held at Charles Town on the third Monday of August next that the said Court and Jury being rightly informed of the truth of the premises may further proceed thereon as to Justice appertains and so forth. Witness the Honourable John Johnson Esq. Chief Judge of the first Judicial District of Maryland the 13th day of June anno Dom. 1817. Issued the 20th day of June 1817. John Barnes Clk.

and thereupon the same day is given to the parties aforesaid them and so forth.

At which mentioned third Monday in August being the eighteenth day of the same month in the year of our Lord one thousand eight hundred and seventeen and the day of the return of the aforegoing warrant of resurvey comes again into the County Court here as well the said Henry Hotspur Lefee as aforesaid by his attornies aforesaid as the said Milfred Manning by his attorney aforesaid; and the Sheriff and Surveyor of the County aforesaid to whom the said warrant of resurvey was in form aforesaid directed makes return thereof to the Court here with five plots and certificates thereto annexed: Whereupon the parties aforesaid by their Attornies aforesaid pray leave of the Court here to amend the said plots and certificates returned to the Court here in this cause and to add thereto if necessary by the third Monday in March next, and to them it is granted; and the same are delivered to the Sheriff and Surveyor aforesaid for that purpose: thereupon further process of and upon the premises aforesaid between the parties aforesaid, by consent of their Attornies aforesaid and by order of the Court here thereon is further continued until the third Monday in March next.

At which mentioned third Monday in March being the sixteenth day of the same month in the year of our Lord one thousand eight hundred and eighteen comes again into the County Court as well the said Henry Hotspur Lefee as aforesaid by his Attornies aforesaid, as the said Milfred Manning by his attorney aforesaid; and the said Sheriff and surveyor of the County aforesaid to whom the said plots and certificates were delivered for the purpose of amending or adding thereto if necessary return the same to the Court here as amended. Whereupon the parties aforesaid by their attornies aforesaid pray further leave

of the Court here to amend the said plots and certificates returned to the Court here in this cause and to add thereto if necessary by the third Monday in August next and to them it is granted and the same are delivered to the Sheriff and surveyor aforesaid for that purpose thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by consent of their attornies aforesaid and by order of the Court here thereon is further continued until the third Monday in August next.

At which mentioned third Monday in August being the seventeenth day of the same month in the year of our Lord one thousand eight hundred and eighteen comes again into the County Court here as well the said Henry Hotspur Lefee as aforesaid by his attornies aforesaid as the said Milfred Manning by his attorney aforesaid, and the said Henry Hotspur by his attornies aforesaid prays leave of the Court here according to the form of the act of Assembly in such case made and provided to amend his declaration aforesaid, and declare anew against the said Milfred Manning in the plea aforesaid and to him it is granted, thereupon the said Henry Hotspur Lefee as aforesaid by his attornies aforesaid, declare anew against the said Milfred Manning in manner and form, and of the tenor following to wit, Maryland Charles County to wit, Milfred Manning late of Charles County Gentleman was attached to answer unto Henry Hotspur in a plea wherefore with force and arms &c. at the County aforesaid, he entered into all that tract or parcel of plantable land called Rotterdam lying and being in the County aforesaid with the appurtenances, and into all that other tract or parcel of plantable land called William and James lying and being in Charles County aforesaid containing twelve hundred acres with the appurtenances which John T. Stoddert demised to him the said Henry for a term of years which is not yet expired and ejected him from his said farms and other wrongs to the said Henry there did to the great damage of the said Henry and against the peace government and dignity of the State and so forth. and whereupon the said Henry by Francis S. Key his attorney complains that the said John T. Stoddert heretofore to wit, on the fifth day of January eighteen hundred and sixteen at the County aforesaid had demised to the said Henry all that said tract or parcel of plantable land called Rotterdam lying and being in the County aforesaid with the appurtenances and all that tract or parcel of plantable land called William and James lying and being in the County aforesaid containing twelve hundred acres with the appurtenances, to have and to hold the same to the said Henry and his assigns for the term of nine years from the thirty first day of December then last past by virtue of which demise as aforesaid, the said Henry entered into the said tracts or parcels of plantable land with the appurtenances and was possessed thereof and being so possessed thereof the said Milfred afterwards to wit, on the fifth day of January in the year eighteen hundred and sixteen aforesaid with force and arms, that is to say with swords, canes, blunderbusses and knives at the County aforesaid entered into the said tracts or parcels of plantable land with the appurtenances, which the said John T. had demised to the said Henry in manner aforesaid for the term aforesaid, which is not yet expired and ejected the said Henry from his farms aforesaid, and other wrongs to the said Henry there and there did, to the great damage of the said Henry and against the peace government and dignity of the state, and so forth: Wherefore the said Henry saith that he is injured and hath sustained damage to the value of ten thousand dollars and therefore he brings his suit and so forth.

F. S. Key, J. T. Stoddert for plaintiff — Pledges &c. forth — John Doe & Richard Roe.